

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ZOYA COMPANY, et al.,

Plaintiffs,

vs.

JULEP NAIL PARLOR COMPANY,

Defendant.

:
: Case No. 1:11-cv-1702
:
: Judge: Dan Aaron Polster
:
: Declaration of Rebecca Isa
:
:
:

I, Rebecca Isa, declare that the following is true based upon my personal knowledge:

1. On behalf of Zoya Company, I visited Julep Nail Parlor Company's website at www.julep.com to understand its functionality and to confirm that Ohio customers can continue to place online orders for Julep's nail polish products for shipment into Ohio.

2. Julep maintains a website at www.julep.com where it advertises and sells the nail polish products that bear names that infringe Zoya's trademarks. A true copy of a printout from the home page of the Julep website as it appeared on November 2, 2011 is attached as **Exhibit A**.

3. Julep maintains an online store on its website where any person with an internet connection can order any Julep nail polish product, including each of the nail polish products at issue in this case. When placing an order, the website allows customers to ship the goods to any address in the United States or Canada. A true copy of a printout from the checkout area of the online store, which Julep calls

“Your Shopping Bag,” as it appeared on November 2, 2011 is attached as **Exhibit B**.

4. Attached as **Exhibit C** is a true copy of a printout from the “Your Shopping Bag” of **Exhibit B** as it appeared on November 2, 2011, demonstrating that, by using a drill-down menu, Julep customers can choose to have their nail polish purchases shipped to Ohio (“OH”) among the other U.S. states.

5. Once a Julep customer is satisfied with her order, she clicks the “Check Out” button at the bottom of the page, which directs the customer to a page titled “Just a Few Steps.” There, the customer enters her name, e-mail address, phone number, a username and password (to become a registered user of julep.com), shipping address, and billing address. At the bottom of the page, the customer enters her credit card or gift certificate information to pay for the order. Once the customer completes all required fields, she clicks “Check Out” to complete her order.

6. On November 11, 2011, I visited the Julep online store and using the method described above, I placed an order for four different bottles of nail polish: Juliette, Kelly, Kim, and Salma. Those four products are among the polishes that carry names that infringe Zoya’s trademarks.

7. I paid for my order online by credit card and entered my Ohio address as my address, my billing address, and my shipping address.

8. After completing my online order, I received a receipt from Julep that confirmed it had accepted my payment and would be shipping my order to Ohio. A true copy of that receipt is attached as **Exhibit D**.

9. Attached hereto as **Exhibit E** is a true and accurate copy of a printout of the "Customer Registration" page from julep.com as it appeared on November 3, 2011. That page allows customers to register as a "Julep.com girlfriend" making it easier for customers to comment on their favorite polish and products and "super easy" for Julep to ship products to customers right away.

10. Attached hereto as **Exhibit F** are true and accurate printouts from julep.com regarding Julep's "Julep Maven" program as it appeared on November 3, 2011. That page allows Ohio customers to register to become a Julep Maven whereby customers receive a customized style profile by responding to certain questions and Julep will personally select product to ship to the customer based on that profile.

11. Attached hereto as **Exhibit G** is a true and accurate printout from julep.com's "Contact Us" web page as it appeared on November 2, 2011. That page shows how Ohio customers may register to receive e-mail updates from Julep regarding "the latest on color trends, celebrity sightings and new Julep products."

12. Attached hereto as **Exhibit H** is a true and accurate printout from the "Julep in the News" link on julep.com as it appeared on November 2, 2011. That page shows that Julep and Julep products have been featured in Elle, Us Weekly, Lucky Magazine, Shape Magazine, Allure, and Fitness Magazine.

13. Attached hereto as **Exhibit I** is a true and accurate printout from the Julep Blog on julep.com entitled "Celebrities LOVE Julep!" as it appeared on

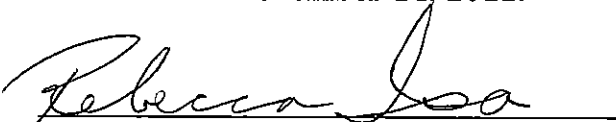
November 2, 2011. That page includes a story detailing Julep's presence at the 2011 Oscar Awards.

14. Attached hereto as **Exhibit J** is a true and accurate printout of Julep's Terms and Conditions for using julep.com as it appeared on November 2, 2011. Among the terms shown on that page, Julep saves and stores customers' credit or debit card information of its Julep Maven members for future charges and shipments.

15. Attached hereto as **Exhibit K** is a true and accurate printout of Julep's Shipping information as it appeared on November 2, 2011. That page identifies Julep's shipping policy and terms for shipping its products in the United States.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 14, 2011.


Rebecca Isa

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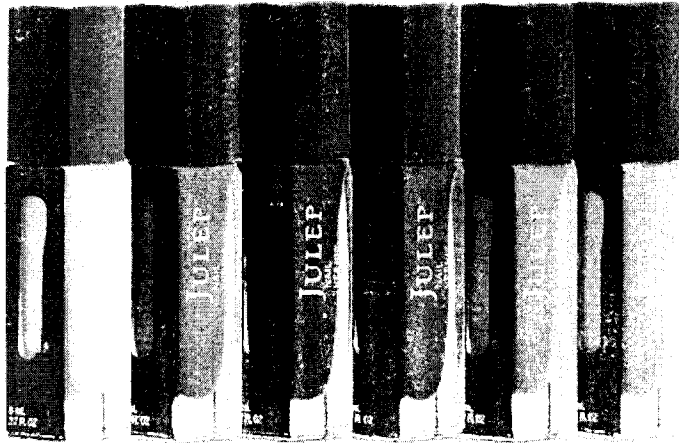
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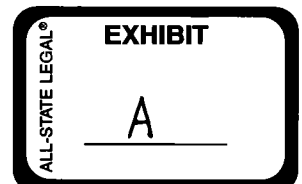
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We are a hand, nail and foot care brand with four [boutique nail parlors](#) in the Seattle area. Founded on the belief that beauty is a connection, not a competition, Julep was created to celebrate the bond between girlfriends and the beauty of the human spirit. We have created a line of the most effective, toxin-free “[Mani & Pedi Care](#)” products and the latest runway-inspired [nail colors](#). [Learn More →](#)

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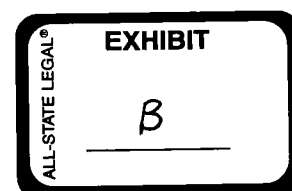
1 item(s), Total: \$15.33 [View Cart](#)

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Your Shopping Bag

Product	Price	Quantity	Tax	Total	Remove
 Salma	\$14.00	<input type="text" value="1"/> <input type="button" value="Update"/>	9.5%	\$15.33	Remove



	1 units	\$15.33
Sub-Total		
Discount / Promotional Code	<input type="text"/> <input type="button" value="Update"/>	(\$0.00)
Gift Certificate / Voucher	<input type="text"/> <input type="button" value="Update"/>	(\$0.00)
Shipping	<div>Destination Country <input type="text" value="UNITED STATES"/> <input type="button" value="v"/> Choose Shipping Option <input type="text" value="Choose Shipping Opt"/> <input type="button" value="v"/> Destination State <input type="text" value="Please Select"/> <input type="button" value="v"/></div>	\$0.00
Total		\$15.33

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Product	Price	Quantity	Tax	Total	Remove
	<u>Salma</u> \$14.00	1 <input type="button" value="Update"/>	0%	\$14.00	<u>Remove</u>



	1 units	\$14.00
Sub-Total		
Discount / Promotional Code	<input type="text"/> <input type="button" value="Update"/>	(\$0.00)
Gift Certificate / Voucher	<input type="text"/> <input type="button" value="Update"/>	(\$0.00)
Shipping	Destination Country <input type="text" value="UNITED STATES"/> <input type="button" value="v"/> Choose Shipping Option <input type="text" value="UPS (Ground)"/> <input type="button" value="v"/> Destination State <input type="text" value="OH"/> <input type="button" value="v"/> Destination Zip/Postcode <input type="text"/> <input checked="" type="checkbox"/> Address is residential	\$0.00
Total		\$14.00

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From: juleponline@julep.com
To: rebeccaissa@hotmail.com
Date: Sat, 12 Nov 2011 04:33:02 +1000
Subject: Your Julep Receipt



P.O. Box 19523
Seattle, WA 98109
(877) 585-3707

Invoice Date
11-Nov-2011
Invoice Number
14646

Customer:
Rebecca Isa
rebeccaissa@hotmail.com

Ship to:
Rebecca Isa
30700 s woodland
pepper pike, oh 44124
UNITED STATES

Bill to:
30700 s woodland
pepper pike, oh 44124
UNITED STATES

Product Code	Product	Description	Unit Price	Tax	Quantity	Total
851833003474	Juliette		\$14.00	\$0.00	1	\$14.00
851833003504	Kelly		\$14.00	\$0.00	1	\$14.00
851833003511	Kim		\$14.00	\$0.00	1	\$14.00
851833003610	Salma		\$14.00	\$0.00	1	\$14.00

Total Discounts Applied: \$0.00

Shipping Cost: \$12.28

Shipping Tax: \$0.00

Grand Total: \$68.28

Paid Already: \$68.28

Outstanding: \$0.00

11/14/2011



At Julep we believe in the power of connection. How together, we resonate. How we inspire each other to be the best versions of ourselves. We are a community of women celebrating other women in unison, and that is beautiful.

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Welcome!

Welcome to the Julep.com online shop! Becoming a Julep.com girlfriend makes it easier for you to comment on your favorite polish, blog posts and products. It also makes it super easy for us to ship to you right away.

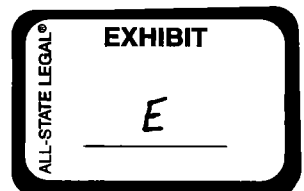
* Required

Your Information

First Name *

Last Name *

Email Address *



HomePhone

Home Address *

City *

State *

Zipcode/Postcode *

Country * -- Select Country --

Username *

Password *

Confirm Password *

Enter Word Verification in box below *

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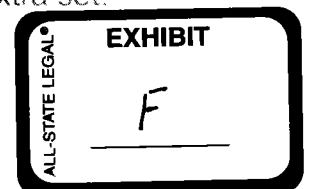
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When we launch new products, we start out by creating beautiful sneak peek sets to send out to the top beauty editors and celebrity trendsetters across the country for their consideration and review. And our girlfriends are always asking to sneak them an extra set.

[Take the Style Quiz](#) →



Now they can - and so can you. We launched our new **Julep Maven** program to give all of our girlfriends access to the beauty editor **Sneak Peek Box** we create every month. As a Julep Maven, you will have access to the hottest trends in nail color and the latest Mani Care and Pedi Care products - delivered right to your doorstep, just like the beauty editors do. And you'll have access to these trends and products **before anyone else**.

We know that tailoring and customizing each editor delivery is critical to gaining her attention and enthusiasm, so every **Sneak Peek Box** we send you will be tailored to your needs and preferences. Just take our fun and easy Julep Maven Style Quiz to help us understand your style profile.

Then each month, we'll send you an email to let you know what we've curated for you in your customized beauty editor Sneak Peek Box. If you don't like what you see, you can request another "shelf pull."

Or choose to send your Sneak Peek Box to a girlfriend as a gift - every month's set comes beautifully packaged and ready to gift.

Welcome to VIP treatment - because your opinion matters to us. YOU are our favorite beauty editor!

Which magazine beauty editor's style are you most like? Take our Julep Maven Style Quiz to find out! Click Here

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**Welcome to VIP treatment - because your opinion matters to us.
YOU are our favorite beauty editor!**

Become a Julep Maven to get beauty editor treatment and style!

Your customized beauty editor Sneak Peek Box:

Being a Maven, gives you exclusive **access to COLOR!** You get it first, and YOU decide how often you want to receive your beauty editor Sneak Peek Box

You receive **over \$40** worth of trendsetting polish colors and cutting-edge treatment products each month customized in a gift-able Sneak Peek Box

Each Sneak Peek Box features new, **never before released colors** and treatments **FIRST** to you, before anyone else

Your box also includes hits and **cult favorites** - the products we like to keep on the top of editors' minds

20% off all julep.com purchases

FREE shipping on ALL your purchases

Each box also comes with a **surprise and delight** element- something to look forward to!

Receive additional membership perks throughout the year

Which magazine beauty editor's style are you most like? Take our Julep Maven Style Quiz to find out! [Click Here](#)

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Becoming a Julep Maven is easy, quick, and fun!

1. Take the [Julep Maven Style Quiz](#)

2. View your Style Profile and personal beauty editor Sneak Peek Box

3. Create a Login

4. Place your Order

5. Now YOU are a Julep Maven!

The process will only take a moment of your time and membership is hassle-free and risk-free with no commitment. Simply take our [Julep Maven Style Quiz](#) to tell us more about yourself and we'll determine which style of magazine editor you most resemble. You will instantly view your Style Profile and your customized beauty editor Sneak Peek Box that contains personally selected products that best compliment your unique look. All there is left to do is simply create a login and place your order- we'll take care of the rest! We'll put together and send out your first exclusive, personally customized, Julep Maven Sneak Peek Box in the mail.

Which magazine beauty editor's style are you most like? Take our Julep Maven Style Quiz to find out! [Click Here](#)

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General Inquiries





We're going to be part of a club we can't wait to belong to. Start a dialog. Get lost in it, Get found.
We will be the stories we tell.
The women we want to be.

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Parlors: 1-877-585-3707
Julep.com: 1-877-651-3292

By Email

Julep Maven
maven@julep.com

Bellevue
bvparlor@julep.com

Gig Harbor
ghparlor@julep.com

Downtown Seattle
seaparlор@julep.com

University District
udparlor@julep.com

Contact Us

Thanks for your interest in Julep! At Julep we believe in the power of connection. How together, we resonate. How we inspire each other to be the best versions of ourselves. We are a community of women celebrating other women in unison. And that is beautiful. We would love to hear from you. Please feel free to send us a message!

We Want to Hear from You!

* Required

Title

First Name *

Last Name *

Email Address *

Reason for contacting us *

Your Message

Type the letters that appear in the image *



Submit

Powered by Girlfriends

We are proud to turn \$1 from every Julep Nail Vernis bottle purchased into fuel that powers girlfriends. We'd love to hear your ideas on where to focus our Powered by Girlfriends efforts.

Connect with Us

Sign up and get \$5 off your first order! Receive the latest on color trends, celebrity sightings and new Julep products.

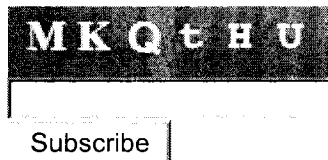
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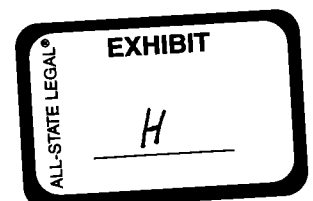
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Julep in the News

We're going to be part of a club we can't wait to belong to. Start a dialog. Get lost in it, Get found.

We will be the stories we tell.

The women we want to be.



Helena and Amy featured on the Elle It List!

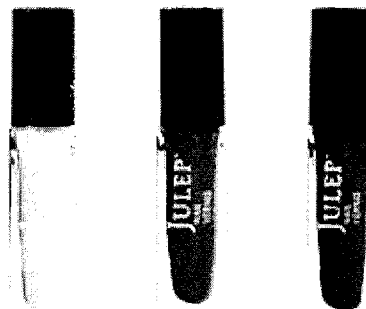
"**Blue Raspberry:** Julep Nail Vernis in Helena (magenta with a splash of pomegranate) and Amy (opaque Mediterranean blue) brightens tips with a glossy candy-shell coat." Elle, October 2011



Julep's Spring Time Natalie featured in Us Weekly!



Julep Nail Colors featured in May edition of Lucky Magazine



Julep Nail Colors: Jennifer, Mandy and Helena are featured in the "Give Back" section in the May

edition of Lucky Magazine! Here is what Lucky had to say about Julep: "This Seattle brand is famous for its toxin-free formulations- and we love the clever peekaboo packaging!" Bonus: 50% of the profits will be donated to The White Ribbon Alliance for Safe Motherhood (promoting safe pregnancies around the world).

Julep Nail Parlor Named a "Hot Spot" from Shape Magazine

Julep Nail Parlor was chosen as a "Look Great-Eco Chic Hot Spot" in the Shape Magazine April edition! "Head to one of the four locations of this cozy, yet luxurious salon for healthier manis and pedis. There're performed with all-natural lathers, lotions, and polishes free from formaldehyde, toluene, and parabens..."



Julep in Allure's Directory of Top Manicures & Pedicures!

April Edition of Allure: "With its bright lighting and mood orange chairs, this downtown salon is cheerfully trendy"



Amy is featured in Us Weekly's Spring Trends!

Spring Trends to Try: Jessica Simpson and other stars are mad for blue manis. "Lighter shades look girly while periwinkles are edgy." Check out Julep's selection of trend worthy blues.



Julep Essential Cuticle Oil featured in Fitness Magazine!

Julep Essential Cuticle Oil was featured in February's Fitness Magazine in the "Get Gorgeous, Best Buys" section! "Roll almond oil-laced Julep Essential Cuticle Oil around nails to mend frays. Tester says: My cuticles were softer after just a few days!"



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Looking for Jane?

Our founder's blog offers Tuesday Tips, Parenting advice and more at www.seejaneparkrun.com

Julep Anti-Aging Mani Care Set for Moms

Everything mom needs to strengthen her nails and protect them from painful hangnails and signs of aging. Includes Julep Nail Growth Revitalizing Serum, Julep Nail Therapy and Jennifer Nail Vernis. Honor your mom while protecting moms everywhere: 5% of proceeds from this set go to support the White Ribbon Alliance for Safe Motherhood.

Celebrities LOVE Julep!

Susie Nalivka - Monday, April 18, 2011



Julep was at the Oscars this year! At this year's Oscar gift lounge, we mingled with the celebs, provided on-site manicures and shared our great new Nail Growth and Revitalizing Serum and Oscar-inspired nail colors. We debuted our groundbreaking Julep Nail Growth Revitalizing Serum and Julep Nail Therapy, and the response was fabulous! We learned that even the beautiful and fashion-forward actresses encounter the same everyday nail problems that we do--dry brittle nails, ridges and slow nail growth--and they were so excited to try new products that will make their nails and manicures more beautiful. Our Oscar nail color lineup included the following award-winning gals: Natalie, Annette, Amy, Helena and Jennifer. Everyone loved our polish bottles and the vibrant, beautiful colors inside.

Our Amy Nail Vernis was a personal favorite of Cloris Leachman, who encouraged everyone to pick the smoky turquoise for their manicures! Dendrie Taylor was looking for a neutral on her nails and Kelly, our expert vernisseur, shared our Whitney Nail Vernis with her for a modern take on neutral. The grey-beige color looked stunning on her! Natasha Henstridge and her husband got couples manicures--it was so cute! Natasha was still deciding on her dress--between modern white or elegant, long black dresses, so we thought our Catherine Nail Vernis would be the perfect, classic red for either dress. Choosing nail colors for all of the stars was fun, but it was also great to share our Powered by Girlfriends initiative. Emanuelle Chriqui, Kelly Rutherford, Nicole Ari Parker and Jennifer Finnigan are just a few of the celebs that loved Powered by Girlfriends and want to partner with us. So exciting! Stay tuned for future Powered by Girlfriends causes chosen by our new celebrity friends.

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girl talk

Anonymous

commented on 21-Apr-2011 11:50 AM

Great first blog post!

You or me??? We dunno):

commented on 01-Oct-2011 03:12 PM

I know, awesome!

join the conversation

Name (optional)

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Your comment

Enter Word Verification in box below

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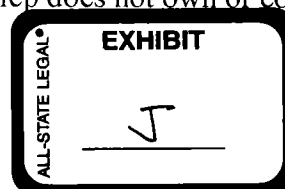
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Last Updated: March 2011

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- Provide details about why you like or dislike a product; and
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Modification of Content

All Content that you submit is not confidential and may be used at Julep's sole discretion. Julep may or may not pre-screen Content. However, Julep and its designees will have the right (but not the obligation) in their sole discretion to pre-screen, change, condense or delete any Content on the Sites. In particular, Julep and its designees will have the right to remove any Content that Julep deems, in its sole discretion, to violate the Guidelines, or any other provision of these Terms of Use or is otherwise objectionable. Julep does not guarantee that you will have any recourse through Julep to edit or delete any Content you have submitted. Julep reserves the right to incorporate any Content you have submitted into any account you may have, now or in the future, as a registered user of the Sites. Ratings, written comments, questions and answers are generally posted within two to four business days. However, Julep reserves the right to remove or to refuse to post any submission for any reason. You acknowledge that you, not Julep, are responsible for the contents of any Content you submit. None of the Content that you submit shall be subject to any obligation of confidence on the part of Julep, its agents, subsidiaries, affiliates, partners or third-party service providers and their respective directors, officers and employees.

Reservation of Rights

Julep reserves the right, at any time, without notice and in its sole discretion, to terminate your license to use the Interactive Services and the Sites and to block or prevent your future access to and use of the Interactive Services and the Sites. Julep may access, preserve and disclose your account information and Content if required to do so by law or in a good faith belief that such access, preservation or disclosure is reasonably necessary to (i) comply with legal process, (ii) enforce these Terms of Use, (iii) respond to claims that any Content violates the rights of third parties, (iv) respond to your requests for customer service, or (v) protect the rights, property or personal safety of Julep and its employees, its users and the public.

JULEP MAVEN:

PLEASE READ THIS MEMBERSHIP AGREEMENT CAREFULLY

By using the Julep Maven website (the "Site"), you agree to follow and be bound by these terms of use (the "Terms of Use") and agree to comply with all applicable laws and regulations, including United States export and re-export control laws and regulations. In these Terms of Use, the words "you" and "your" refer to each Client or Site visitor, "we", "us" and "our" refer to Julep Maven.

It is your responsibility to review these Terms of Use periodically. If at any time you find these Terms of Use unacceptable or if you do not agree to these Terms of Use, please do not use this Site. We may revise these Terms of Use at any time without notice to you. If you have any questions about these Terms of Use, please contact us.

Registration And Membership

In order to enjoy all the benefits of membership, you must register and become a member of

the site. You may visit the site without registering. To register, complete the Julep Maven Style Quiz, use your valid email address and create a password to register your profile. At the time of initial registration, you have the option to become a member by providing payment and shipping information for your account. Once you have placed your first order, you become an official member. All information that you provide to register is subject to the Privacy Policy. You may cancel your membership at any time by logging in to 'My Account' and proceeding from there. If you have any questions please email: maven@julep.com or call 1-877-651-3292.

No Purchase Commitment

As a Julep Maven, you will be the first to receive new, never before released, colors and cutting edge treatment products that fit your look and need. Because we are adding new products all the time, you'll be sure to find lots of great items in every month's beauty editor Sneak Peek Box. Although the Julep Maven goal is to provide you with beauty editor treatment and style at an affordable price, there is no monthly commitment to be a member. You may skip the month or cancel your membership at any time.

You must provide and keep us up to date with accurate member information, including your name, address, credit card number and expiration dates. You agree that we may update your information with information your bank or credit card issuer may supply, or other information available to us. All such personal information is subject to the Privacy Policy, incorporated into this Agreement. We are not responsible for any fees or charges that your bank or credit card issuer may apply. If your credit card issuer reverses a charge to your credit card, we may bill your account directly and seek payment by another method including a mailed statement.

Monthly Selection

As a Julep Maven, each month you will receive a personalized beauty editor Sneak Peek Box containing a selection of Julep products specifically customized to your Julep Maven Style Profile and the magazine beauty editor style you most resemble. Your customized selection in your Sneak Peek Box may change every month. Accordingly, Julep Maven cannot guarantee that a selection available in a particular month will be available in any subsequent month.

Registered Users

As a Registered user of Julep Maven, you agree to receive emails promoting any special offer(s), including third party offers. We may from time to time send you our monthly newsletter.

Members

As a member of Julep Maven, you agree to receive emails, newsletters and other communications announcing your monthly Sneak Peek Box collection and promoting any special offer(s), including third party offers.

As a member, we will notify you of your upcoming beauty editor Sneak Peek Box on the 20th of the month by email. If you do not respond or change any information in 'My Account' on julep.com, we will send you the exact products in your email notification. If for whatever reason, you are not happy with your selection you may request to receive another "shelf pull" and we will send you an alternate collection of handpicked customized products. To request another "shelf pull", simply login to 'My Account' and select "New Shelf Pull". You have until the 25th of the month to notify us of your decision to request another selection of products. You also have the option to send your Sneak Peek Box as a gift to a girlfriend,

sister, coworker, or anyone else free of charge. Login to 'My Account' and select "Send My Box to a Girlfriend" by the 25th of the month and we will take care of the rest. Your selection will be sent according to our Shipping Policy to either your provided address or to one provided for a friend. Once you've purchased your first Sneak Peek Box, you automatically become a Julep Maven recurring member. In the case where you are still unsatisfied with the products you receive, please call: 1-877-651-3292 or email: maven@julep.com and we will take personal care of you. If at any time you wish not to receive the monthly editor's box, it is the user's responsibility to make this known by midnight on the 25th day off the month (5 days after the selection email will be received). In this case your credit card charge will be suspended until the following month when you will either choose to receive your Sneak Peek Box, gift it to a friend, or skip that month as well. Please also refer to our How It Works section, for additional details.

BILLING AND PAYMENTS

Paying By Credit Card

For your convenience, when you place your first order and become an official member, we will save your credit or debit card information and use it for all future shipments and charges which will automatically be charged to your saved card, unless you notify us. We accept the following credit cards at this time: American Express, VISA, and MasterCard. For your convenience and continuous membership benefits as a client, if your payment method reaches its expiration date and you do not edit your credit card information or cancel your account, you authorize us to continue billing that credit card on file including extending the expiration date until we are notified by you or the credit card company that the account is no longer valid. We encourage you to constantly update your payment method information or cancel your account should you wish to discontinue your membership with us.

SHIPPING, RETURNS AND EXCHANGES

Shipping, return and exchange of any merchandise ordered through the Site or in connection with your membership are subject to the Julep Maven Shipping, Return and Exchange Policies.

Replacement of products for shipped merchandise claimed as not received are subject to our investigation, which may include postal-service notification. We will adjust your account at our discretion. Repeated claims of undelivered merchandise may result in the cancellation your membership.

RISK OF LOSS

The risk of loss and title for items purchased by you pass to you upon Julep Maven's delivery of the items to the carrier pursuant to the Julep Maven Shipping Policy.

LOCAL TAXES

You may be charged local sales tax, if applicable.

INTERNATIONAL ACCESS

This Site may be accessed from countries other than the United States. This Site may contain products or references to products that are not available outside of the United States. Any such references do not imply that such products will be made available outside the United States. If you access and use this Site outside the United States you are responsible for complying with your local laws and regulations.

MEMBERSHIP CANCELLATIONS

We will do everything to make your membership as satisfying as possible. However, you are free to cancel your membership any time by logging in to 'My Account' and proceeding from there. In order to terminate your membership, you must cancel your membership in 'My Account' by midnight on the 25th of the month, or the next month will be charged to your credit card and you will receive the Sneak Peek Box for that month, without possibility of a

refund. If you have any questions please email: maven@julep.com or call: 1-877-651-3292. We may terminate your membership, without notice, for conduct we believe violates this Agreement or our policies, is harmful to other Members or our business interests, or for an inactive account.

ADDITIONAL TERMS

By continuing your membership, you accept and agree to the terms of this Membership Agreement and any changes made by us to it once we notify you of these changes. If you do not wish to be bound by this Agreement, please see above for how to cancel your membership. Your edits or changes to either the online or offline versions of this Agreement or a membership offer will not be effective, regardless of form.

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Indemnification

You agree to defend, indemnify and hold harmless Julep (and its officers, directors, agents, subsidiaries, joint ventures, employees and third-party service providers), from all claims, demands, losses, liabilities, costs, expenses, obligations and damages of every kind and nature, known and unknown, including reasonable legal fees, arising out of (a) your use of and access to the Sites and the Interactive Services; (b) your violation of any term of these Terms of Use; (c) a breach of your representations and warranties set forth above regarding Content; (d) your violation of any law or the rights of a third party (including, without limitation, any copyright, property or privacy right); or (e) any claim that any Content you submitted caused damage to a third party. This indemnification obligation will survive the termination of these Terms of Use and your use of the Sites and the Interactive Services.

Applicable Law

The Sites and Interactive Services are created and controlled by Julep in the State of Washington, U.S.A. As such, the laws of the State of Washington will govern these Terms of Use, without giving effect to any principles of conflicts of laws. Julep reserves the right to make changes to its Web site and these Terms of Use at any time.

Our Address

Julep Nail Parlor Company

P.O. Box 19523
Seattle, WA 98109

DMCA

If you believe your work or content has been copied and posted to the Sites in a way that constitutes copyright infringement, please provide Julep's designated copyright agent the following written information in accordance with the Digital Millennium Copyright Act (the "DMCA"):

- An electronic or physical signature of the person authorized to act on behalf of the owner of the copyright interest;
- A description of the copyrighted work that you claim has been infringed upon;
- A description of where the material that you claim is infringing is located on the Sites;
- A statement by you that you have a good-faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law;
- Your name, address, telephone number and email address (if available); and
- A statement by you, made under penalty of perjury, that the above information in your notice is accurate and that you are the copyright owner or are authorized to act on the copyright owner's behalf.

Julep's DMCA designated copyright agent for notice of claims of copyright infringement on this Web site is our General Counsel, ???, who can be reached as follows:

Contact Info for legal claims?

Fraud Protection Program

As part of our order processing procedures, we screen all received orders for fraud or other types of unauthorized or illegal activity. We reserve the right to refuse to process an order due to suspected fraud or unauthorized or illegal activity. If such is the case, we may reject your order or our Customer Service department may call you at the phone number or email address you provided to confirm your order. We also reserve the right to cancel any accounts or refuse to ship to certain addresses due to suspected fraud or unauthorized or illegal activity. We take these measures to protect our customers as well as ourselves from fraud or other unauthorized or illegal activity.

General

Any claim or dispute between you and Julep that arises in whole or in part from the Sites or the Interactive Services shall be decided exclusively by a court of competent jurisdiction located in King County, Washington. If any provision of these Terms of Use is deemed invalid by a court of competent jurisdiction, the invalidity of such provision shall not affect the validity of the remaining provisions of these Terms of Use, which shall remain in full force and effect. No waiver of any term of these Terms of Use shall be deemed a further or continuing waiver of such term or any other term, and Julep's failure to assert any right or provision under these Terms of Use shall not constitute a waiver of such right or provision. It is the express wish of the parties that these Terms of Use and all related documents be drawn up in English. TO THE EXTENT PERMITTED BY APPLICABLE LAWS, YOU AND JULEP AGREE THAT ANY CAUSE OF ACTION ARISING OUT OF OR RELATED TO THE SITES AND THE INTERACTIVE SERVICES MUST COMMENCE WITHIN ONE (1) YEAR AFTER THE CAUSE OF ACTION ACCRUES. OTHERWISE, SUCH CAUSE OF ACTION IS PERMANENTLY BARRED.

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About Julep

We are a hand, nail and foot care brand with four [boutique nail parlors](#) in the Seattle area. Founded on the belief that beauty is a connection, not a competition, Julep was created to celebrate the bond between girlfriends and the beauty of the human spirit. We have created a line of the most effective, toxin-free “[Mani & Pedi Care](#)” products and the latest runway-inspired [nail colors](#). [Learn More →](#)

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Our Parlors

Our Parlors

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- Parlor Locations
- Book an
- Appointment
- Parlor Events



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Julep.com (877) 651-3292 :: Parlors (877) 585-3707

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- Our Blog

Shipping

Julep.com offers FREE STANDARD SHIPPING on all U.S. merchandise orders \$40 and over (excluding taxes). For shipments totaling less than \$40, the delivery charge depends on the weight of your purchases and the selected shipping method. Our standard shipping option is USPS Parcel Post. Orders over \$40 always ship for free--no promotion code needed.

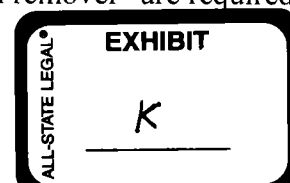
Business Days: Monday - Friday, excluding federal holidays within the United States.

UPS 3 Day, UPS 2nd Day Air and UPS Next Day Air Saver: Orders must be placed by 12pm Pacific Standard Time (PST) to be processed on the same business day.

Processing Time: Orders received between Monday and Friday are usually processed the same day or by the end of next business day. Orders received on Saturday are usually processed by the end of Tuesday and orders placed on Sunday are usually processed by end of day Wednesday. All expedited priority orders must be placed by noon Pacific Standard Time (PST) to be processed on the same business day. If placed after this, your order will be processed the following business day.

Hazardous Materials

Certain items considered hazardous materials (HAZMAT)--including aerosols and alcohol-based products such as pressurized spray cans, hairspray and nail polish remover--are required by the U.S.



Department of Transportation to be shipped by ground-only transport, due to air transport restrictions and regulations. For these shipments, we recommend UPS Ground. USPS Ground is also an option for shipments within the continental United States. For P.O. Box addresses, USPS Ground (Parcel Post) is the only shipping method available.

There is no delivery cost for shipping Julep eGift Certificates or parlor gift certificates, regardless of their face value.

Orders shipped to the West Coast can be expected much sooner than the estimated maximum delivery time. The majority of orders shipped to the West Coast can be expected within two to four business days.

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